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CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

12/20/2016 1:39 pm

U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE

-----X
CAMBRIDGE WHO'S WHO
PUBLISHING, INC.,

Plaintiff,

-against-

ORDER
15-cv-899 (SJF)(AKT)

AMERICAN REGISTRY, LLC,

Defendant.
-----X

FEUERSTEIN, District Judge:

Before the Court is Magistrate Judge A. Kathleen Tomlinson's November 28, 2016 Report and Recommendation (Dkt. 42) ("Report") recommending that the Court dismiss this case pursuant to Federal Rule of Civil Procedure 41(b) based upon the plaintiff's failure to prosecute. No objections to the Report have been filed and the deadline for filing objections has passed.

Any portion of a report and recommendation on a dispositive matter to which a timely objection has been made is reviewed by the district court *de novo*. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Where no proper objections are interposed, however, a district court is not required to review the factual findings or legal conclusions of the magistrate judge *de novo*. See *Thomas v. Arn*, 474 U.S. 140, 150 (1985). To accept the report and recommendation of a magistrate judge on a dispositive matter to which no timely objection has been made, the district court need only be satisfied that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(b); *Johnson v. Goord*, 487 F. Supp. 2d 377, 379 (S.D.N.Y. 2007), *aff'd*, 305 Fed. Appx. 815 (2d Cir. 2009); *Baptichon v. Nev. State Bank*, 304 F. Supp. 2d 451, 453 (E.D.N.Y.

2004), *aff'd*, 125 Fed. Appx. 374 (2d Cir. 2005). Whether or not proper objections have been filed, the district judge may, after review, accept, reject, or modify any of the magistrate judge's findings or recommendations. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

Upon review, this Court adopts Magistrate Judge Tomlinson's Report in its entirety. Accordingly, this case is dismissed pursuant to Federal Rule of Civil Procedure 41(b). The Clerk of the Court is directed to close this case. Plaintiff's counsel is directed to serve a copy of this order upon plaintiff Cambridge Who's Who Publishing, Inc. forthwith by overnight mail and first-class mail and to promptly file proof of such service.

SO ORDERED.

s/ Sandra J. Feuerstein
Sandra J. Feuerstein
United States District Judge

Dated: December 20, 2016
Central Islip, New York